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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

1C853

U.S. PTO

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original, and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification  
*(preferred arrangement set forth below)*
- Descriptive title of the invention  
—Cross Reference to Related Applications  
—Statement Regarding Fed sponsored R&D  
—Reference to sequence listing, a table, or a computer program listing appendix  
—Background of the Invention  
—Brief Description of the Drawings *(if filed)*  
—Detailed description  
—Claim(s)  
—Abstract of the Disclosure
- [Total Pages: 15]
4.  Drawings(s) (35 U.S.C. 113)      [Total Sheets 5]
5.  Oath or Declaration-unsigned      [Total Pages 3]
- a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR. 1.76.

Attorney Docket No.	2103461-991100
First Inventor	Bob Russo et al.
Title	SPLASH INHIBITING BEVERAGE CONTAINER LID
Express Mail Label No.	EL 813 646 554 US

**ADDRESS TO:** Commissioner of Patents and Trademarks  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i.  CD-ROM or CD-R (2 copies; or
- ii.  paper
- c.  Statements verifying identify of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  
*(when there is an assignee)*  Power of Attorney by Assignee
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Express Mail Certificate  
Nonpublication Request

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part      of prior acceptance No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	 <i>(Insert Customer Number or Bar code label here)</i>		<input type="checkbox"/> Correspondence address below
Name			
Address	26379		
City	State	ENT TRADEMARK OFFICE	Zip Code
Country	Telephone	650-833-2433	Fax
NAME (Print/Type)		Registration No. (Attorney/Agent)	
Signature		39,749	

# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT** (\$ 547.00)

<i>Complete if Known</i>	
Application Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Bob Russo et al.
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	2103461-991100

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **07-1896**  
Deposit Account Name **Gray Cary Ware & Freidenrich LLP**

- Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status See 37 CFR 1.27

2.  Payment Enclosed:

- Check in the amount of \$ **\$ 370.00**

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)
101	740	201	370 Utility filing fee
106	330	206	165 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	160	214	80 Provisional filing fee
<b>SUBTOTAL (1) (\$ 370.00)</b>			

### 2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	35	-20** = 15	X 9	= 135
Independent Claims	4	-3** = 1	X 42	= 42
Multiple Dependent		X 0		= 0

Large Entity		Small Entity	
Code	Fee (\$)	Code	Fee (\$)
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid ** Reissue independent claims over original patent
109	80	209	42 ** Reissue claims in excess of 20 and over original patent
110	18	210	9
<b>SUBTOTAL (2) (\$ 177.00)</b>			

*\*\*or number previously paid, if greater; For Reissues, see above*

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English specification
147	2,520	147	2,520 For filing a request for ex parte reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	400	216	200 Extension for reply within second month
117	920	217	460 Extension for reply within third month
118	1,440	218	720 Extension for reply within fourth month
128	1,960	228	980 Extension for reply within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive - unavoidable
141	1,280	241	640 Petition to revive - unintentional
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR 1.17(q)
126	180	126	180 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
Other fee (specify) _____			
* Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3) (\$ 0)</b>	

*\* Reduced by Basic Filing Fee Paid*

SUBMITTED BY					
Name (Print/Type)	Signature	Alan A. Limbach	Registration No. (Attorney/Agent)	39,749	Telephone
					(650) 833-2433

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Bob Russo et al.
Title	SPLASH INHIBITING BEVERAGE CONTAINER LID
Atty Docket Number	2103461-991100

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 11, 2002

Date



Signature

Alan A. Limbach (Reg. No. 39,749)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Please type a plus (+) sign inside this box

+

PTO/SB/05 (03-01)

Express Mail Label Number: EL 813 646 554 US

I hereby certify that this Utility Patent Application is  
being deposited with the United States Postal Service  
"EXPRESS MAIL Post Office to Addressee" service under 37  
CFR 1.10 on the date indicated above and is addressed to  
Box Patent Application, Commissioner of Patents &  
Trademarks; Washington, DC 20231.

January 11, 2002  
Date

Kathleen LaBrie  
  
Signature

U.S. PATENT AND TRADEMARK OFFICE  
DEPARTMENT OF COMMERCE  
Washington, D.C. 20591-0001

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. 2103461-991100
Applicant: Bob Russo et al.			
Serial No. To Be Assigned	Filing Date January 11, 2002	Examiner To Be Assigned.	Group Art Unit To Be Assigned
Invention:  <b>SPLASH INHIBITING BEVERAGE CONTAINER LID</b>			
<p>I hereby certify that this <u>Utility Patent Application including Transmittal, Fee Transmittal (in duplicate), Specification(15 pages), Drawings (5 pages), Declaration – unsigned (3 pages), Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i), Check in the amount of \$547.00 and a Return Post Card.</u></p> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Box Patent Application, Washington, D.C., 20231-0001 on January 11, 2002.</p> <p style="text-align: center;"><i>(Date)</i></p>			
<p>Kathleen LaBrie  <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p>  <p><i>(Signature of Person Mailing Correspondence)</i></p>			
<p><b>EL 813 646 554 US</b>  <i>("Express Mail" Mailing Label Number)</i></p>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			